

## SUMMER APPELLATE MEDIATION PROJECT

The Court of Appeals has decided to implement a limited summer mediation program in an effort to resolve some of the civil appeals that are fully briefed but that will not be calendared, at best, before the end of 2005. Additionally, the court is investigating alternative dispute resolution options for cases on appeal and is considering the implementation of a pilot alternative resolution program in the future and hopes to gain information through this summer program to assist it in the development of a larger appellate alternative resolution program. The cases selected for the summer program include only civil appeals where all parties are represented by counsel and where the primary relief sought was monetary in nature.

You are receiving the enclosed order because you are counsel in a case that has been selected for this program. Participation in this program is **mandatory**. All mediation sessions for the summer program will be conducted by mediators that have been trained and certified to handle Civil I meditations.

### **As counsel, you are expected to:**

1. Complete the attached confidential statement and submit it to the Multi-Door Dispute Resolution Division no later than 14 days after the date of the order. You will be contacted by Multi-Door to schedule a session.
2. Attend the mediation session. All sessions will be conducted between July 18, 2005 and August 12, 2005. Both you and your client **must** attend. In the event that the client is a corporation, counsel shall secure the presence of a representative that has full settlement authority. In the event a non-party is necessary for resolution of the matter, e.g. insurance company, counsel shall either secure the physical presence or availability by telephone of a representative that has full settlement authority.

### **Conclusion of Mediation:**

Once the mediation is concluded, the Court will be informed by Multi-Door of the result; namely, ended with settlement, or ended with no settlement. If the parties reach a settlement, the mediators will have a court form that merely states that the case has been settled and requests the court to dismiss the appeal. Upon the signature of all parties, the mediator will transmit this form to the Court and no other action by the parties will be necessary. If the case is not settled, the case will remain in the list of appeals to be calendared.

Since the court is investigating the possibility of a pilot alternative dispute resolution program in the future, the court welcomes, and asks, for comments on the summer program and suggestions for changes to the program.